THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.27415 OF 1998

ORAL ORDER:

The petitioner, who claims to be a landless poor person, has been in occupation of a small extent of land situated in Sy.No.321 of Mettpalem village, Chandragiri Mandal, Chittoor district. It is stated that the said land is a Government Poramboke land and having made the same fit for cultivation, he has been raising crops. Subsequently, he was also granted Eksal lease in respect of the said land by the Deputy Tahsildar vide proceedings dated 16.6.1984. Challenging the same, the 5th respondent herein preferred an Appeal before the Revenue Divisional Officer, Tirupathi. The said Appeal was allowed by order dated 21.12.1984 holding that the lease cannot be granted without considering the relative merits of all the aspirants. Accordingly, the lease in favour of the petitioner was cancelled and the Mandal Revenue Officer was directed to conduct a *de nova* enquiry in detail and take appropriate action as per law after considering the case of all the applicants. Though the writ petitioner preferred a Revision before the Joint Collector, Chittoor, the same was dismissed on 31.3.1992, thereby confirming the order passed by the Revenue Divisional Officer. The further Revision preferred by the petitioner before the Special Commissioner, Land Revenue, was also dismissed by order dated 20.9.1996. Hence, this writ petition.

Having heard the learned counsel for the petitioner and having perused the material on record, I am unable to hold that the order passed by the 1st respondent-Commissioner of Land Revenue, confirming the order passed by the respondents 2 and 3 suffers from any legal infirmity, warranting interference by this Court. Though it is not in dispute that the land in question is Government poramboke, having proposed to grant the lease in favour of landless poor persons, the Mandal Revenue Officer ought to have considered the claim of all

the eligible persons. Since without conducting such exercise, the lease was granted in favour of the petitioner, the Revenue Divisional Officer has rightly cancelled the lease and directed the Mandal Revenue Officer to conduct a *de nova* enquiry and pass appropriate orders in accordance with law. There was also a specific direction to consider the claim of the petitioner herein also along with others. Such order, which does not suffer from any legal infirmity, warrants no interference by this Court.

The writ petition is accordingly dismissed. No costs.

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1.11.2007.

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THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.27415 OF 1998

1st November, 2007.

Between:

N. Ramaiah. .. Petitioner.

And

The Commissioner of Land Revenue,
A.P., Hyderabad and others. .. Respondents.